HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

Writ Petition No. 21287 of 2007

Date: 15.11.2007

Between:

K. Narayana

… Petitioner

and

The Additional Agent to the Government and
Project Officer, ITDA, Utnoor, Adilabad District & others

… Respondents

O R D E R:

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The Special Deputy Collector (Tribal Welfare), Adilabad Headquarters at Utnoor passed orders in his proceedings in TWA2/1019/1996 against the writ petitioner herein on 24.04.2003 ordering his ejectment from out of the land of an extent of Ac.2.00 in Survey No.7/1/2 of Yapalguda Village of Adilabad Mandal and District. It is not in dispute that against this order of the Special Deputy Collector, an appeal is provided to the Additional Agent to the Government and Project Officer, I.T.D.A., Utnoor, Adilabad District under Section 8 of the Andhra Pradesh Scheduled Areas Land Transfer Regulation Act, 1959. The writ petitioner has asserted that such an appeal had been preferred and along with the appeal, an interlocutory application was also moved seeking stay of the operation of the orders of the Special Deputy Collector dated 24.04.2003. The appeal filed by the petitioner in A4/LTR/12/2003 has been dismissed by the first respondent by an order dated 21.07.2007 directing the Tahsildar, Adilabad Mandal to take over the possession of the scheduled land and assign the same to the eligible tribals. Aggrieved by the orders passed by the first respondent, the writ petitioner preferred a revision before the Government along with an interlocutory application.

It is asserted that the Government of Andhra Pradesh is so preoccupied with other pressing works and consequently, is not in a position to take up the revision preferred and no interlocutory orders could be obtained by the writ petitioner. In the meantime, the Special Deputy Collector and his subordinate officers are threatening the writ petitioner to vacate from out of the scheduled land. Therefore, the present writ petition has been instituted.

Once a revision is preferred to the Government, it is only expected that it will be attended to at the earliest convenient time. If the revision itself cannot be decided, the interlocutory application moved by the parties seeking urgent interim orders could be attended to in the meantime. It is no doubt true that the Government is preoccupied with more pressing and important public functions, but that is no justification for not entertaining the revisions pending before it.

In these set of circumstances, I consider it appropriate to direct the Government to entertain, hear and decide the revision preferred against the orders of the Additional Agent to the Government dated 21.07.2007 on or before 30th June 2008. Till such time, the *status quo* existing as of now with regard to possession be maintained. It is, however, open to the Government to independently consider the interlocutory application moved by the writ petitioner herein and decide the same even before it decides the revision preferred to it.

With this, the writ petition stands disposed of.

(NOOTY RAMAMOHANA RAO, J)

November 15, 2007
ksld